

REMARKS

Claims 1-5 stand rejected under 35 U.S.C. 102(e) as being anticipated by Brennan et al. (US Patent Number 6,735,295). Applicants have amended claim 1 and cancelled claim 5. Therefore, Applicants have traversed the rejection.

Applicant's invention relates to a method for sending a short message from a first wireline phone to a second wireline phone. In amended claim 1, a first wireline phone sends a preformatted SMS (Short Message Service) message to a switch. The switch sends an SMS message based upon the preformatted SMS message to the second wireline phone.

The Brennan reference relates to a method for voice call management. A voice mail system (VMS) connects with a caller when a called phone is busy. The VMS allows the caller to record a message, such as speech, that is passed to the called phone at a whisper level.

The Brennan reference does not teach or suggest sending a preformatted message to a switch. Any message sent in the Brennan reference is free-form, not preformatted.

Further, the Brennan reference does not teach or suggest sending an SMS message based upon the preformatted SMS message to the called phone. Rather, the Brennan reference records a message, and then attenuates and superposes the message on the communication line. See column 4, lines 40-53.

Without these teachings, the Brennan reference does not include each and every element of Applicants' invention as embodied in claim 1. As such, it cannot anticipate Applicants' invention as embodied in claim 1.

Claim 2 depends from claim 1 and is not anticipated for the reasons set forth with regard to claim 1. Further, claim 2 calls for the step of denying the SMS message at the second wireline phone. This step is not taught or suggested by the Brennan reference. The Office Action points to column 4, lines 19-39 to show this element. However, the Brennan reference teaches that the called phone receives a recorded message, and then decides not to take the call associated with the message. See column 4, lines 19-32.

Therefore, the Brennan reference does not teach or suggest denying an SMS message, but rather receiving a message and then making a determination not to accept a call on a call-waiting type situation. Consequently, the Brennan reference cannot be fairly read to teach claim 2 of

Applicants' invention, which calls for the step of denying an SMS message at a second wireline phone.

Claim 3 depends from claim 1 and is not anticipated for the reasons set forth with regard to claim 1.

Claim 4 depends from claim 1 and is not anticipated for the reasons set forth with regard to claim 1. Further, claim 4 calls for the method to further comprise the step of converting the SMS message to a voice message. The Office Action points to the Abstract, FIG.1, and column 3, line 33 through column 4, line 18 of the Brennan reference. Nowhere in the Brennan reference is there any reference to converting an SMS message to voice. Without this element of claim 4, the Brennan reference does not anticipate Applicants' invention as embodied in claim 4.

Therefore, the Brennan reference does not teach or suggest Applicant's invention as embodied in claims 1-4.

Claim 7 stands rejected under 35 U.S.C. 102(e) as being anticipated by Link, II et al (US Patent Number 6,731,926). Applicants respectfully disagree.

Claim 7 relates to a method for sending a short message from a wireline phone to an information provider. A wireline phone sends an SMS (Short Message Service) message to a switch. The switch sends the SMS message to the information provider. The information provider sends near real-time filtered information to the wireless phone.

The Link II reference relates to a system and method for delivering a message waiting indicator message to a wireless system. In an integrated voicemail messaging service, a user associates a wireless telephone with a messaging service provider. See column 4, lines 36-40. The messaging service provider then activates Message Waiting Indicators (MWI) on all associated phone. See column 4, line 49 through column 5, line 21.

Claim 7 of Applicants' invention calls for a wireline phone to send an SMS message to a switch. The Link II reference does not teach or suggest a wireline phone sending an SMS message to a switch. Conversely, the Link II reference relates to a phone leaving a message with a voicemail messaging service.

Further, claim 7 calls for a switch to send the SMS message to an information service provider. Nowhere in the Link II reference is there a teaching of a switch sending an SMS message, and in particular to an information service provider.

Additionally, claim 7 calls for the information service provider to send near real-time filtered information to a wireless phone. The Link II reference does not send near real-time information, but rather a message waiting indicator.

Without any of the elements shown in the Link II reference, it cannot fairly be suggested that the Link II reference anticipates Applicants' invention as embodied in claim 7. Therefore, the Link II reference does not teach or suggest Applicant's invention as embodied in claim 7.

Claims 8-18 stand rejected under 35 U.S.C. 102(b) as being anticipated by Goldberg et al. (US Patent Number 6,205,205). Applicants respectfully disagree.

The Goldberg reference relates to a method and system for affinity group telephone service. The affinity groups have associated with it a customized set of call processing characteristics, such as a distinctive dial tone, a distinctive language preference, and an abbreviated dialing list of other subscribers in the group. See column 1, lines 17-29. In addition, each affinity group can have a special broadcast message presented to some or all of the subscribers in the group. See column 1, lines 29-31.

Claim 8 relates to a method for sending a message from a first wireline phone to a wireline SMS group. The Goldberg reference does not teach or suggest sending a message from a wireline phone, but rather a broadcast message from the system. Nowhere does the Goldberg reference teach or suggest a wireline phone sending a message to a wireline SMS group.

Similarly, the Goldberg reference does not teach or suggest sending a group SMS message for the wireline SMS group from the first wireline phone to a switch, as in claim 8. Nowhere is there any teaching in the Goldberg reference of a wireline phone sending a message to a switch.

Further, claim 8 calls for sending the group SMS message from the switch to each of the plurality of wireline phones that are members of the wireline SMS group. The Goldberg reference relates to providing a special broadcast message to members of an affinity group when

they pick up their phone. Nowhere does the Goldberg reference teach or suggest the broadcast message originating from a wireline phone.

For all these reasons, the Goldberg reference does not anticipate Applicants' invention as embodied in claim 8.

Claim 9 depends from claim 8 and is not anticipated by the Goldberg reference for the reasons set forth with regard to claim 8. Further, claim 9 calls for sending a group SMS message comprising a list sent in the signaling message. The Goldberg reference does not teach sending a signaling message, and more particularly an SMS message that includes a list. For all these reasons, the Goldberg reference does not anticipate Applicants' invention as set forth in claim 9.

Claim 10 depends from claim 8 and is not anticipated by the Goldberg reference for the reasons set forth with regard to claim 8.

Claim 11 depends from claim 10 and is not anticipated by the Goldberg reference for the reasons set forth with regard to claim 10. Further, claim 11 calls for the wireline SMS group to be associated with a directory number. Nothing in the Goldberg reference even suggests having a directory number associated with an SMS group or an affinity group. For all these reasons, the Goldberg reference does not anticipate Applicants' invention as set forth in claim 11.

Claim 12 depends from claim 8 and is not anticipated by the Goldberg reference for the reasons set forth with regard to claim 8. Further, claim 12 calls for the step of sending the group SMS message from the switch to each of the plurality of wireline phones comprises sending the group SMS message from the switch to a first wireline phone and sending the group SMS message from the switch to a second wireline phone via a second switch. Nowhere in the Goldberg reference are these steps taught or suggested. For all these reasons, the Goldberg reference does not anticipate Applicants' invention as set forth in claim 12.

Claim 13 depends from claim 8 and is not anticipated by the Goldberg reference for the reasons set forth with regard to claim 8. Further, claim 13 calls for the method to further comprise providing voice mail notification at at least one of the plurality of wireline phones that are members of the wireline SMS group. Nothing in the Goldberg reference teaches or suggests providing voice mail notification. Without even mentioning voice mail notification, each element of claim 13 has not been shown, and therefore the rejection cannot stand.

Claim 14 depends from claim 8 and is not anticipated by the Goldberg reference for the reasons set forth with regard to claim 8. Further, claim 14 calls for the method to further comprise providing e-mail interworking at at least one of the plurality of wireline phones that are members of the wireline SMS group. Nothing in the Goldberg reference teaches or suggests providing e-mail interworking. Without even mentioning e-mail interworking, each element of claim 14 has not been shown, and therefore the rejection cannot stand.

Claim 15 depends from claim 8 and is not anticipated by the Goldberg reference for the reasons set forth with regard to claim 8.

Claim 16 depends from claim 15 and is not anticipated by the Goldberg reference for the reasons set forth with regard to claim 15.

Claim 17 depends from claim 8 and is not anticipated by the Goldberg reference for the reasons set forth with regard to claim 8. Further, claim 17 calls for the step of sending the group SMS message from the switch to a first wireline phone to comprise sending the group SMS message via a plurality of segmented messages. Nowhere in the Goldberg reference is there a suggestion, teaching, or even hint of sending a group SMS message via a plurality of segmented messages. Without even mentioning the segmenting of SMS messages, each element of claim 14 has not been shown, and therefore the rejection cannot stand.

Claim 18 relates to a method for sending a message from a first wireline phone to a wireline SMS group that comprises a plurality of wireline phones. A first wireline phone sends a group SMS message for the wireline SMS group to a gatekeeper database. The gatekeeper database determines the directory number of each of the phones in the wireline SMS group. The gatekeeper database sends the group SMS message to the phones in the wireline SMS group.

The Goldberg reference does not teach or suggest a first wireline phone sending a group SMS message for the wireline SMS group to a gatekeeper database. In fact, the Goldberg reference does not teach or suggest a gatekeeper database.

Further, the Goldberg reference does not teach or suggest a gatekeeper database determining the directory number of each of the phones in the wireline SMS group. As mentioned above, the Goldberg reference does not even include a gatekeeper database.

Additionally, the Goldberg reference does not teach or suggest sending the group SMS message to the phones in the wireline SMS group.

In sum, the Goldberg reference does not teach or suggest a single element of claim 18. As such, it does not anticipate claim 18.

Claim 19 depends from claim 18 and is not anticipated by the Goldberg reference for the reasons set forth with regard to claim 18.

Claim 6 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Brennan et al. in view of Link II et al. Applicants respectfully disagree.

Claim 6 depends from amended claim 1, and is not unpatentable for the reasons set forth above with regard to claim 1. Further, nowhere does the Brennan or Link II reference teach or suggest a wireless SMS. Without this teaching, claim 6 is not obviated by these references. Therefore, the Brennan and Link II references do not teach or suggest Applicant's invention as embodied in claim 6.

Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of claims 1-5 under 35 U.S.C. 102(e), reconsider and withdraw the rejection of claim 7 under 35 U.S.C. 102(e), reconsider and withdraw the rejection of claims 8-18 under 35 U.S.C. 102(b), reconsider and withdraw the rejection of claim 6 under 35 U.S.C. 103(a), and allow claims 1-4 and 6-19. Applicants believe that the application is in condition for allowance. Favorable reconsideration of this application in light of the above is respectfully requested. If a telephone interview with Applicants' Attorney would further the prosecution of the present application, the Examiner is invited to contact the undersigned at the indicated telephone number.

Respectfully,

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